



**Michigan State Housing Development Authority
Compliance Monitoring - Low Income Housing Tax Credit Program**

**Request for Approval to Provide Temporary Housing
For Households Displaced by Hurricane Katrina**

Development Name: _____ LIHTC #: _____

Request Date: _____

I request MSHDA's approval to provide temporary housing for individuals and/or households displaced by Hurricane Katrina and I hereby affirm:

1. I acknowledge that I have read and understand the Internal Revenue Service Notice 2005-69;
2. I intend to rent vacant units temporarily to individuals displaced because of damage caused by Hurricane Katrina in a county/parish designated for individual assistance by FEMA. Because low-income households are intended to be the primary beneficiary of units financed with low-income housing credits, such households will be given preference irrespective of any relief granted by Notice 2005-69;
3. The household will provide an award letter or other documentation from FEMA or other disaster relief agency indicating the household is qualified for disaster relief assistance and the household must execute an Affidavit of Displacement;
4. I will list the development on the National Emergency Resource Registry (NERR) maintained by the Department of Homeland Security at www.SWERN.gov.
5. The date the household began temporary occupancy and the date the development will discontinue providing temporary housing shall be certified in the household's file by execution of the Temporary Housing Lease Addendum;
6. Tenant files, including the Temporary Housing Lease Addendum, as Authorized by IRS Notice 2005-69 for each assisted household shall be retained by the owner as part of the tenant documentation for at least 6 years after the due date (with extensions) for filing the federal income tax return for the applicable years, pursuant to 26 CFR Section 1.42-5(b)(2). The development will report to MSHDA, households temporarily housed in a manner prescribed by MSHDA;
7. All of the buildings in the development have completed the first year of the credit period as defined in Internal Revenue Code Section 42(f)(1);
8. Rent for the low-income units leased to displaced households shall not exceed the existing rent-restricted rates for the low-income units as established under Internal Revenue Code Section 42(g)(2);
9. The status of a vacant unit (market rate or low-income for purposes of Internal Revenue Code Section 42) that is temporarily occupied by a displaced household remains the same as the unit's status before the displaced household moved in;
10. Existing tenants in occupied low-income units shall not be evicted or have their tenancy terminated as a result of efforts to provide temporary housing for displaced households;

11. Upon the end of the temporary housing period, the tenancy of displaced individuals whose income exceeds the applicable income limits shall terminate and such individuals must vacate the low-income units, unless the tenant qualifies for a unit under the requirements of Internal Revenue Code Section 42 and enters into a valid lease. The Owner's failure to ensure that such displaced individuals vacate low-income units by the end of a development's period of temporary housing will cause an IRS Form 8823 to be issued for buildings containing those units.

Signature of Owner/Representative: _____ Date: _____

Printed Name of Owner/Representative: _____

Entity Name: _____

Phone Number: _____ Fax Number: _____

E-Mail: _____

MSHDA Approval:

Request for temporary housing is approved from the date of this request to September 30, 2006.

Sherri Davio, Compliance Manager
Office of Legal Affairs

Date: _____

Owners approved to provide temporary housing must include the following documents in each resident file upon housing a displaced household:

- Executed lease agreement and Temporary Housing Lease Addendum
- Affidavit of Displacement
- Award letter or other documentation from FEMA or other disaster relief agency.
- Resident Self-Certification Forms (TIC, Income/Asset Checklist and Resident Certification Form)

NOTE: The temporary suspension of certain LIHTC requirements for displaced individuals applies only to Low Income Housing Tax Credit units issued under Section 42 of the Internal Revenue Code as authorized by IRS Notice 2005-69. MSHDA's approval of the relief provided does not suspend or waive the income limitations or any other requirements or conditions of any HUD subsidy or program, or any program administered by a unit of local government or any other local jurisdiction. Temporary relief in connection with such programs must be independently obtained through the appropriate officials of such unit of federal government, local government or other local jurisdiction. MSHDA encourages owners to seek the advice of legal council and investors prior to participation.

Please fax or email this request to: Cassandra Brown, MSHDA Compliance Monitoring
Fax: 517- 241-8471 Email: browncas@michigan.gov

Information or questions - Contact MSHDA Compliance Staff at 517-241-2560